

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 19, 2007

DEPARTMENT: **PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: RQR-25668 - APPLICANT: MOON VALLEY NURSERY -
OWNER: AMERICAN GEAR REDUCTION, INC/WYCOFF NEWBERG CORP

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all conditions of approval of Special Use Permit (SUP-12177) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Three Month Review of an approved Special Use Permit (SUP-12177) for proposed outdoor storage/sales within Town Center on 5.22 acres at 7215 and 7275 Tule Springs Road.

It is noted that a related Required Review (RQR-25665) shall be heard concurrently with this item.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/22/04	The Planning and Development Department approved a request for an Administrative Site Development Plan Review (SDR-3410) for a proposed temporary garden supply facility adjacent to the west side of the intersection of Tule Springs Road and Sunny Springs Lane.
06/21/06	The City Council approved a Site Development Plan Review (SDR-12175) for Outdoor Storage/Sales and a waiver of the perimeter landscape requirements and a Special Use Permit (SUP-12177) for proposed outdoor storage/sales within Town Center on 5.22 acres at the northwest corner of US-95 North and Tule Springs Road.
11/29/07	A site inspection was conducted and photographs were taken. It was noted that the illegal signage and materials were moved to the parcel under the jurisdiction of Clark County.
11/30/07	Civil Plans (L-CIVIL-25813) were submitted to staff. At the time of this report the Civil Plans have not been reviewed by Land Development staff.
<i>Related Building Permits/Business Licenses</i>	
06/29/07	A permit for an ornamental iron fence at this location was submitted to staff for review. The Planning and Building Departments have approved the permit. The Land Development Department denied the request due to a lack of a completed drainage study or civil plans submittal on 07/09/07.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.22

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Nursery	SC-TC (Service Commercial)	T-C (Town Center)
North	Nursery	Clark County	T-C (Town Center)
South	US-95 Right-of-Way	US-95 Right-of-Way	US-95 Right-of-Way
East	Single Family Residential	MLA-TC (Medium Low Attached Density Residential)	T-C (Town Center)
West	US-95 Right-of-Way	US-95 Right-of-Way	US-95 Right-of-Way

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
T-C Town Center District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second review of the proposed project. Since the previous review on 09/19/07 the applicant has not made significant progress on the proposed project. It is noted that Civil Plans (L-CIVIL-25813) were submitted to staff on 11/30/07; however, at the time of this report they have not been approved for review. A site inspection was conducted by staff on 11/29/07. The results of the inspection found that what the applicant has done is move the illegal signage and containers to the parcel that is under the jurisdiction of Clark County. The applicant has also installed a banner sign on the chain link fence that indicates where the jurisdictional boundary is. Civil Plans were submitted for review on 11/30/07. At the time of this report these plans have not been reviewed. No additional progress has been made toward the completion of the proposed project. Due to the applicants failure to comply with the conditions of approval of the original application denial of this request is recommended.

The following reflect the current state regarding the conditions of approval as of the site inspection and results found on 11/30/07:

SUP-12177

Conditions of Approval	Current Status
1. Conformance to all Minimum Requirements outlined in the "Development Uses" section Town Center Development Standards Manual for Outdoor Storage/Sales use.	Not currently in compliance with item (C.) which states that Barbed wire, razor ribbon, chainlink, etc. are prohibited. The site contains chainlink fence.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-12175) shall be required.	Not currently in compliance.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.	A business license was issued on 06/03/06 for Moon Valley Nursery at 7252 N. Rancho Drive. This business license is a T10 – Inter Jurisdictional Mobile Service Operation.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.	Not currently in compliance.
5. Within 2 years of approval of this Special Use Permit by City Council, a required review must be heard by the Planning Commission and City Council in order to ensure that all of the requirements for this Special Use Permit and Site Development Plan Review (SDR-12175) have been met.	It has not yet been two years since the original approval. Two years from original approval will occur on 06/21/08.

FINDINGS

Civil Plans were submitted for review on 11/30/07. At the time of this report these plans have not been reviewed. No additional progress has been made toward the completion of the proposed project. Due to the applicants failure to comply with the conditions of approval of the original application denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 218

APPROVALS 0

PROTESTS 0